U.S. Army Corps of Engineers

DISTRICT OFFI	CE: New Orleans
FILE NUMBER:	MVN-2007-0733-EII

			CE: New MVN-20										
S F C A	tate: Parish Cente Appro Vame	: r coordii ximate :	est water	na hoa ite (latit ea (parc way: Be	tude/lon	gitude): ewed, ir eek	: ncluding	30°24'7.06" 9 uplands: 0.03 a		1"			
			AL DET Desktop Site visi	determ			X A	Date: 5-15-7 Date(s):					
J	urisc	lictiona	l Determ	ination	(JD):								
	F	relimina Inited S	ary JD - I	Based or d/or "na	n availal vigable			☑ <i>there appea</i> nited States" on					
ľ			d JD – A		ved JD i	is an apı	pealable	action (Referen	ce 33 CFI	R part 331).		
								tes" (as defined onal area:	by 33 CF	R part 32	9 and asso	ociated guid	dance) within
			are "wa area. Aj					efined by 33 CF area:	'R part 32	8 and asso	ciated gu	idance) wit	thin the
		1 There	are "iso	Decisi				e waters or wetl NCC/Migratory					ination of No
A	\. V	Vaters of he prese	ence of w	nder 33 aters tha	CFR pat are su	part 329 bject to	as "na the ebb	vigable waters and flow of the tinterstate or fo	tide and/o	or are pres		i, or have b	peen used in
		1) The protestate 2) The pandflats, estruction (i) when (iii) from	or foreign or foreign oresence of wetland on of which are from which which are undments resence of	of waters of interst of other s, slough ch could be fish o e or could of water f a tribu f territo	s, which herce, in tate wat waters s has, prairif affect libe useer shellfild be users other utary to a rial seas	are cur icluding ers including ers including such as rie potho interstate d by intersish are co ed for in rwise de a water	rently used and all water and all water and all materials are commercials are could and ustrial affined as identification.	"waters of the ted, or were use rs which are sul erstate wetlands lakes, rivers, st meadows, playerce including a foreign travele taken and sol purposes by inc waters of the U d in (1) – (4) ab ters of the US,	d in the public to the st. treams (in a lakes, or any such vers for recided in interstustries in (S. pove.	ast, or ma e ebb and cluding ir r natural p vaters (che reational c state or fo interstate	flow of the atermittent onds, the eck all that or other pureign com- commerce	ne tide. t streams), use, degrac t apply): proses. merce.	mudflats, dation or
R								ion (applies to	any boxe	s checked	above).		
	The	activity	will nea	Bedico	Creek i	in Tangi	ipahoa P	arish.					

2

Basis0733

	eral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: □ clear, natural line impressed on the bank □ the presence of litter and debris □ changes in the character of soil □ destruction of terrestrial vegetation □ shelving □ other: □ tidal gages □ other: □ other:
	Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas	The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale: Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain):
	REVIEWED FOR JURISDICTIONAL DETERMINATION (mark all that apply): Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated , prepared by (company): This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: U.S. Geological Survey 7.5 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic soil Survey: National wetlands inventory maps: State/Local wetland inventory maps: FEMA/FIRM maps (Map Name & Date): 100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Name & Date): Other photographs (Date): Advanced Identification Wetland maps: Site visit/determination conducted on: see Jurisdictional Determination Section at top of previous page Applicable/supporting case law: Other information (please specify):

^TWetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

U.S. Army Corps of Engineers

DISTRICT OFFICE: New Orleans FILE NUMBER: MVN 2007-1672 EMM PROJECT LOCATION INFORMATION: State: Louisiana Parish: **Plaquemines** 29-07-32.7 / 89-18-46.3 Center coordinates of site (latitude/longitude): Approximate size of area (parcel) reviewed, including uplands: 7.0 acres. Name of nearest waterway: Mississippi River Delta Name of watershed: Mississippi River Delta JURISDICTIONAL DETERMINATION Completed: Desktop determination X Date: May 10, 20077 П Date(s): Site visit(s) Jurisdictional Determination (JD): Preliminary JD - Based on available information, there appear to be (or) there appear to be no "waters of the United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable (Reference 33 CFR part 331). Approved JD – An approved JD is an appealable action (Reference 33 CFR part 331). Check all that apply: There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area: There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area: ☐ There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area. Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No Jurisdiction. BASIS OF JURISDICTIONAL DETERMINATION: Waters defined under 33 CFR part 329 as "navigable waters of the United States": A. Waters defined under 33 CFR part 329 as "navigable waters of the United States":

The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce. B. Waters defined under 33 CFR part 328.3(a) as "waters of the United States": (1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide. (2) The presence of interstate waters including interstate wetlands¹. (3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate commerce including any such waters (check all that apply); (i) which are or could be used by interstate or foreign travelers for recreational or other purposes. (ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce. (iii) which are or could be used for industrial purposes by industries in interstate commerce. (4) Impoundments of waters otherwise defined as waters of the US. (5) The presence of a tributary to a water identified in (1) – (4) above. (6) The presence of territorial seas.

Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above).

(7) The presence of wetlands adjacent to other waters of the US, except for those wetlands adjacent to other wetlands.

A Section 10 water.

Basis 10 Late	eral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: □ clear, natural line impressed on the bank the presence of litter and debris changes in the character of soil □ physical markings/characteristics tidal gages other: Undetermined
	Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas	The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale: Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain):
	Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated , prepared by (company): This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Datural Resources Conservation Service Soil Survey: National wetlands inventory maps: State/Local wetland inventory maps: FEMA/FIRM maps (Map Name & Date): 100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Name & Date): Other photographs (Date): Advanced Identification Wetland maps: Site visit/determination conducted on: see Jurisdictional Determination Section at top of previous page Applicable/supporting case law: Other information (please specify):

^TWetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

JURISDICTIONAL DETERMINATION U.S. Army Corps of Engineers

DISTRICT OFFICE: New Orleans **FILE NUMBER:** MVN 2007-1674 EMM

ROJE(Stat Pari	e:	TION IN Louisiana Plaquemi								
Cen App Nan	ter coordii roximate:	nates of sit size of are est waterw	e (latitude/longitud	e): , including	29-27-03 / 89-13-35 g uplands: 1.0 acres.					
			RMINATION determination (s)		Date: May 10, 20077 Date(s):					
Jur	isdictiona	l Determi	nation (JD):							
	United S	tates" and			there appear to be (or) there appear to be no "waters of the United States" on the project site. A preliminary JD is not appealable					
		d JD – An I that appl		appealable	e action (Reference 33 CFR part 331).					
			igable waters of the Approximate size of		ates" (as defined by 33 CFR part 329 and associated guidance) within tional area:					
			ers of the United Sta proximate size of ju		defined by 33 CFR part 328 and associated guidance) within the al area:					
	☐ There	e are "isol			nte waters or wetlands" within the reviewed area. NCC/Migratory Bird Rule Information Sheet for Determination of No.					
ASIS (OF JURIS	DICTIO	NAL DETERMIN	ATION:						
A.	Waters of	defined un ence of wa	nder 33 CFR part atters that are subject	329 as "na t to the ebb	avigable waters of the United States": b and flow of the tide and/or are presently used, or have been used in out interstate or foreign commerce.					
B. ⊠	Waters defined under 33 CFR part 328.3(a) as "waters of the United States": (1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide. (2) The presence of interstate waters including interstate wetlands.									
	sandflats destructi	(3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate commerce including any such waters (check all that apply): (i) which are or could be used by interstate or foreign travelers for recreational or other purposes.								
	☐ (ii):	from whic	h fish or shellfish a	re or could	be taken and sold in interstate or foreign commerce.					
	(4) Impo	undments	of waters otherwise	defined a	al purposes by industries in interstate commerce. us waters of the US.					
			f a tributary to a wa f territorial seas.	ter identifi	ied in (1) – (4) above.					
	(7) The p	presence of	f wetlands adjacent	to other v	waters of the US, except for those wetlands adjacent to other wetlands.					
Rat	ionale for	the Basis	of Jurisdictional	Determina	ation (applies to any boxes checked above).					

A Section 10 water.

Basis 10 Lat	eral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by:
	Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
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DATA I	Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated prepared by (company): This office does not concur with the delineation report, dated prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey T.5 Minute Topographic maps: U.S. Geological Survey 7.5 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: USDA Natural Resources Conservation Service Soil Survey: National wetlands inventory maps: State/Local wetland inventory maps: FEMA/FIRM maps (Map Name & Date): 100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Name & Date): Other photographs (Date): Advanced Identification Wetland maps: Site visit/determination conducted on: see Jurisdictional Determination Section at top of previous page Applicable/supporting case law: Other information (please specify):

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

U.S. Army Corps of Engineers

DISTRICT OFFICE: New Orleans

		MVN-200	7-1764-EII		
Stat Pari Cen App Nan	e: sh: ter coordinoroximate ne of near	Louisiana Jefferson nates of sit size of are est waterw	te (latitude/lo a (parcel) rev ay: Black Sh	ngitude): iewed, includin ell Bay	29°26'31" 90°0'34" ag uplands: .3 acres.
Nan	ne of wate	rshed:	Barataria Ba	ısin	
			RMINATIO determination (s)		Date: 5-10-7 Date(s):
Jur	isdictiona	l Determi	nation (JD):		
	United S	tates" and/	ased on availa or "navigable part 331).	able information waters of the U	n, \(\subseteq \text{ there appear to be (or)} \) \(\subseteq \text{ there appear to be no "waters of the United States"} \) on the project site. A preliminary JD is not appealable
		d JD – An I that apply		is an appealabl	le action (Reference 33 CFR part 331).
				of the United Se size of jurisdic	states" (as defined by 33 CFR part 329 and associated guidance) within ctional area:
				ted States" (as	defined by 33 CFR part 328 and associated guidance) within the nal area:
	There	are "isolo		ported by SWA	ate waters or wetlands" within the reviewed area. ANCC/Migratory Bird Rule Information Sheet for Determination of No.
A. B.	Waters of The present the past, waters of (1) The printerstate (2) The printerstate (2) The printerstate (3) The printerstate (4) The printerstate (5) The printerstate (6) The printerstate (6) The printerstate (7) The p	defined un ence of wa or may be defined un resence of or foreign resence of wetlands, on of which thich are of which are which are	der 33 CFR ters that are s susceptible for der 33 CFR waters, which commerce, in interstate waters sloughs, prath could affect recould be used fish or shell or could be used	part 328.3(a) as the are currently including all was ters including in such as intrastative potholes, we timerstate commed by interstate effish are or could sed for industrial erwise defined as	navigable waters of the United States": ab and flow of the tide and/or are presently used, or have been used in out interstate or foreign commerce. as "waters of the United States": used, or were used in the past, or may be susceptible to use in a ters which are subject to the ebb and flow of the tide. Interstate wetlands. At at lakes, rivers, streams (including intermittent streams), mudflats, at lakes, rivers, streams (including intermittent streams), mudflats, et meadows, playa lakes, or natural ponds, the use, degradation or merce including any such waters (check all that apply): or foreign travelers for recreational or other purposes. d be taken and sold in interstate or foreign commerce. al purposes by industries in interstate commerce. as waters of the US. are did in (1) - (4) above.
	(6) The p	resence of	territorial sea	as.	waters of the US, except for those wetlands adjacent to other wetlands.
					ation (applies to any boxes checked above).
T	he activity	will occur	r in shallow v	vater in Black Sl	hell Bay in Jefferson Parish.

2

Basis1764

	teral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: ☐ clear, natural line impressed on the bank ☐ the presence of litter and debris ☐ changes in the character of soil ☐ destruction of terrestrial vegetation ☐ shelving ☐ other: ☐ tide Line indicated by: ☐ oil or scum line along shore objects ☐ fine shell or debris deposits (foreshore) ☐ physical markings/characteristics ☐ tidal gages ☐ other:
	Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
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DATA I	REVIEWED FOR JURISDICTIONAL DETERMINATION (mark all that apply): Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated , prepared by (company): This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: U.S. Geological Survey 7.5 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 16 Minute Historic quadrangles: U.S. Geological Survey 17 Minute Historic quadrangles: U.S. Geological Survey 18 Minute Historic quadrangles: U.S. Geological Survey 19 Minute Historic quadran

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²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

JURISDICTIONAL DETERMINATION U.S. Army Corps of Engineers

DISTRICT OFFICE: New Orleans FILE NUMBER: MVN 2007-1888 EOO

RC	State Paris Cent Appr Nam	e: sh: er coordii roximate s	Louisiana St. Tamm nates of sit size of area est waterw	any e (latitude/longitud	, including	30-22-45 / 90-06-03 g uplands: .09 acres.
UR				RMINATION determination (s)		Date: May 11, 2007 Date(s):
	Juri	sdictiona	! Determi	nation (JD):		
		United S	tates" and	ased on available in or "navigable wate part 331).	nformation rs of the U	, \(\subseteq \text{ there appear to be (or) } \subseteq there appear to be no "waters of the Inited States" on the project site. A preliminary JD is not appealable
			d JD – An l that apply		appealable	e action (Reference 33 CFR part 331).
				gable waters of the Approximate size		ates" (as defined by 33 CFR part 329 and associated guidance) within tional area:
				ers of the United St proximate size of j		defined by 33 CFR part 328 and associated guidance) within the al area: .09 acres.
		There	e are "isol			ate waters or wetlands" within the reviewed area. NCC/Migratory Bird Rule Information Sheet for Determination of No.
BAS	A.	Waters of The prese	d <mark>efined u</mark> r ence of wa	ters that are subjec	329 as "na t to the ebb	avigable waters of the United States": o and flow of the tide and/or are presently used, or have been used in ort interstate or foreign commerce.
		(1) The printerstate (2) The properties (3) The properties and flats destruction (i) where the properties (ii) where the printers (iii) where the printers (iii) where the printers (iii) where the printers (iiii) where the printers (iiiiiiiiiiiiiiiiiiiiiiiiiiiiiiiiiiii	oresence of cor foreign oresence of oresence of , wetlands on of whice which are of	waters, which are a commerce, include interstate waters in the country of the waters such a sloughs, prairie put the could affect intersection could be used by	currently using all was including in as intrastantholes, we estate community	s "waters of the United States": used, or were used in the past, or may be susceptible to use in ters which are subject to the ebb and flow of the tide. nterstate wetlands ¹ . te lakes, rivers, streams (including intermittent streams), mudflats, et meadows, playa lakes, or natural ponds, the use, degradation or merce including any such waters (check all that apply): or foreign travelers for recreational or other purposes. I be taken and sold in interstate or foreign commerce.
		(4) Impo (5) The p (6) The p	which are undments presence of presence of	or could be used for of waters otherwise f a tributary to a way f territorial seas.	or industria e defined a ter identifi	all purposes by industries in interstate commerce. s waters of the US. ied in (1) – (4) above. waters of the US, except for those wetlands adjacent to other wetlands.
	Rati	onale for	the Basis	of Jurisdictional	Determin	ation (applies to any boxes checked above).

Wetlands adjacent to Lake Pontchartrain.

Basis wetl	ands_1888 2
<u>La</u> te	eral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329)
	Ordinary High Water Mark indicated by: High Tide Line indicated by:
	clear, natural line impressed on the bank oil or scum line along shore objects
	the presence of litter and debris fine shell or debris deposits (foreshore)
	changes in the character of soil physical markings/characteristics
	destruction of terrestrial vegetation tidal gages
	shelving other: Undetermined
	other:
	Mean High Water Mark indicated by:
_	survey to available datum; physical markings; vegetation lines/changes in vegetation types.
	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
_	The Nils Amenda Turk Bladisms
Bas	is For Not Asserting Jurisdiction:
片	The reviewed area consists entirely of uplands.
片	Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3).
님	The Corps has made a case-specific determination that the following waters present on the site are not Waters of the
L	United States:
	4 4 4 4 A CDD
	Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and
	retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or
	rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created
	by excavating and/or diking dry land to retain water for primarily aesthetic reasons.
	Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for
	the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is
	abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR
	328.3(a).
	Isolated, intrastate wetland with no nexus to interstate commerce.
	Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:
	The content of plans, as determined by the translative content taken between services, surplant taxonate.
	Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale:
	☐ Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale:☐ Other (explain):
DAT <u>A</u> F	REVIEWED FOR JURISDICTIONAL DETERMINATION (mark all that apply):
⊠	Maps, plans, plots or plat submitted by or on behalf of the applicant.
	Data sheets prepared/submitted by or on behalf of the applicant.
	This office concurs with the delineation report, dated , prepared by (company):
	This office does not concur with the delineation report, dated , prepared by (company):
	Data sheets prepared by the Corps.
Ц	Corps' navigable waters' studies:
ᆜ	U.S. Geological Survey Hydrologic Atlas:
닏	U.S. Geological Survey 7.5 Minute Topographic maps:
Щ	U.S. Geological Survey 7.5 Minute Historic quadrangles:
닏	U.S. Geological Survey 15 Minute Historic quadrangles:
片	USDA Natural Resources Conservation Service Soil Survey:
片	National wetlands inventory maps:
님	State/Local wetland inventory maps:
님	FEMA/FIRM maps (Map Name & Date):
님	100-year Floodplain Elevation is: (NGVD)
님	Aerial Photographs (Name & Date):
님	Other photographs (Date): Advanced Identification Wetland maps:
片	Site visit/determination conducted on: see Jurisdictional Determination Section at top of previous page
H	Applicable/supporting case law:
H	Other information (please specify):
	one internation (product specify).

Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

U.S. Army Corps of Engineers

DISTRICT OFFICE: New Orleans FILE NUMBER: MVN 2007-1890 EOO PROJECT LOCATION INFORMATION: Louisiana State: Parish: **Plaquemines** 29-12-41.42 / 88-56-59.92 Center coordinates of site (latitude/longitude): Approximate size of area (parcel) reviewed, including uplands: 3.1 acres. Name of nearest waterway: Gulf of Mexico Gulf of Mexico Name of watershed: JURISDICTIONAL DETERMINATION Completed: Desktop determination Date: May 11, 2007 Date(s): Site visit(s) Jurisdictional Determination (JD): Preliminary JD - Based on available information, \(\simega\) there appear to be (or) \(\simega\) there appear to be no "waters of the United States" and/or "navigable waters of the United States" on the project site. A preliminary JD is not appealable (Reference 33 CFR part 331). Approved JD - An approved JD is an appealable action (Reference 33 CFR part 331). Check all that apply: There are "navigable waters of the United States" (as defined by 33 CFR part 329 and associated guidance) within the reviewed area. Approximate size of jurisdictional area: 3.1 acres. ☑ There are "waters of the United States" (as defined by 33 CFR part 328 and associated guidance) within the reviewed area. Approximate size of jurisdictional area: 3.1 acres. There are "isolated, non-navigable, intra-state waters or wetlands" within the reviewed area. Decision supported by SWANCC/Migratory Bird Rule Information Sheet for Determination of No Jurisdiction. BASIS OF JURISDICTIONAL DETERMINATION: A. Waters defined under 33 CFR part 329 as "navigable waters of the United States": The presence of waters that are subject to the ebb and flow of the tide and/or are presently used, or have been used in the past, or may be susceptible for use to transport interstate or foreign commerce. B. Waters defined under 33 CFR part 328.3(a) as "waters of the United States": (1) The presence of waters, which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide. (2) The presence of interstate waters including interstate wetlands¹.

- (3) The presence of other waters such as intrastate lakes, rivers, streams (including intermittent streams), mudflats, sandflats, wetlands, sloughs, prairie potholes, wet meadows, playa lakes, or natural ponds, the use, degradation or destruction of which could affect interstate commerce including any such waters (check all that apply):
- (i) which are or could be used by interstate or foreign travelers for recreational or other purposes.
- (ii) from which fish or shellfish are or could be taken and sold in interstate or foreign commerce.
- (iii) which are or could be used for industrial purposes by industries in interstate commerce.
- (4) Impoundments of waters otherwise defined as waters of the US.
- (5) The presence of a tributary to a water identified in (1) (4) above.
- (6) The presence of territorial seas.
 - (7) The presence of wetlands adjacent² to other waters of the US, except for those wetlands adjacent to other wetlands.

Rationale for the Basis of Jurisdictional Determination (applies to any boxes checked above).

A Section 10 water.

	eral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: □ clear, natural line impressed on the bank □ the presence of litter and debris □ changes in the character of soil □ destruction of terrestrial vegetation □ shelving □ other: Undetermined □ High Tide Line indicated by: □ oil or scum line along shore objects fine shell or debris deposits (foreshore) physical markings/characteristics □ tidal gages other: Undetermined
	Mean High Water Mark indicated by: ☐ survey to available datum; ☐ physical markings; ☐ vegetation lines/changes in vegetation types.
	Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Bas	The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale:
	 Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain):
	REVIEWED FOR JURISDICTIONAL DETERMINATION (mark all that apply): Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated , prepared by (company): This office does not concur with the delineation report, dated , prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: U.S. Geological Survey 7.5 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Actual Resources Conservation Service Soil Survey: National wetlands inventory maps: State/Local wetland inventory maps: State/Local wetland inventory maps: FEMA/FIRM maps (Map Name & Date): 100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Date): Advanced Identification Wetland maps: Site visit/determination conducted on: see Jurisdictional Determination Section at top of previous page Applicable/supporting case law: Other information (please specify):

¹Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.

JURISDICTIONAL DETERMINATION U.S. Army Corps of Engineers

DISTRICT OFFICE: New Orleans FILE NUMBER: MVN-2007-1914-EII

PRO	State	e:	TION INFORMATION: Louisiana		
	App Nan	ter coordi	Jefferson nates of site (latitude/longitu size of area (parcel) reviewe est waterway: Bayou Dos Gr rshed: Barataria Basin	d, including	29°28'42" 90°4'31" g uplands: 67.6 acres.
JUF			AL DETERMINATION Desktop determination Site visit(s)	<u> </u>	Date: 5-15-7 Date(s):
	Juri	sdictiona	l Determination (JD):		
	X	United S	ary JD - Based on available itates" and/or "navigable water ce 33 CFR part 331).	nformation ers of the U	, ☑ there appear to be (or) ☐ there appear to be no "waters of the inited States" on the project site. A preliminary JD is not appealable
			d JD - An approved JD is an I that apply:	appealable	e action (Reference 33 CFR part 331).
			e are "navigable waters of the wed area. Approximate size		ates" (as defined by 33 CFR part 329 and associated guidance) within ional area:
			e are "waters of the United S l area. Approximate size of j		defined by 33 CFR part 328 and associated guidance) within the al area:
		There			te waters or wetlands" within the reviewed area. NCC/Migratory Bird Rule Information Sheet for Determination of No
BAS	SIS C	F JURIS	DICTIONAL DETERMIN	ATION:	
	A.	Waters of	defined under 33 CFR part ence of waters that are subject	329 as "na t to the ebb	vigable waters of the United States": o and flow of the tide and/or are presently used, or have been used in at interstate or foreign commerce.
		(1) The p interstate (2) The p (3) The p sandflats, destruction (i) w (ii) f (iii) (4) Impos (5) The p (6) The p (7) The p	presence of waters, which are or foreign commerce, include the control of the con	currently using all water identified as intrastate otholes, we restate comminterstate or could be industriate defined as a ter identified.	e lakes, rivers, streams (including intermittent streams), mudflats, t meadows, playa lakes, or natural ponds, the use, degradation or nece including any such waters (check all that apply): or foreign travelers for recreational or other purposes. be taken and sold in interstate or foreign commerce. I purposes by industries in interstate commerce. Is waters of the US.
					you Dos Gris in Jefferson Parish.

	teral Extent of Jurisdiction: (Reference: 33 CFR parts 328 and 329) Ordinary High Water Mark indicated by: □ clear, natural line impressed on the bank □ the presence of litter and debris □ changes in the character of soil □ destruction of terrestrial vegetation □ shelving □ other: □ tidal gages □ other:
	Mean High Water Mark indicated by: survey to available datum; physical markings; vegetation lines/changes in vegetation types. Wetland boundaries, as shown on the attached wetland delineation map and/or in a delineation report prepared by:
Ba	The reviewed area consists entirely of uplands. Unable to confirm the presence of waters in 33 CFR part 328(a)(1, 2, or 4-7). Headquarters declined to approve jurisdiction on the basis of 33 CFR part 328.3(a)(3). The Corps has made a case-specific determination that the following waters present on the site are not Waters of the United States: Waste treatment systems, including treatment ponds or lagoons, pursuant to 33 CFR part 328.3. Artificially irrigated areas, which would revert to upland if the irrigation ceased. Artificial lakes and ponds created by excavating and/or diking dry land to collect and retain water and which are used exclusively for such purposes as stock watering, irrigation, settling basins, or rice growing. Artificial reflecting or swimming pools or other small ornamental bodies of water created by excavating and/or diking dry land to retain water for primarily aesthetic reasons. Water-filled depressions created in dry land incidental to construction activity and pits excavated in dry land for the purpose of obtaining fill, sand, or gravel unless and until the construction or excavation operation is abandoned and the resulting body of water meets the definition of waters of the United States found at 33 CFR 328.3(a). Isolated, intrastate wetland with no nexus to interstate commerce. Prior converted cropland, as determined by the Natural Resources Conservation Service. Explain rationale: Non-tidal drainage or irrigation ditches excavated on dry land. Explain rationale: Other (explain):
	Maps, plans, plots or plat submitted by or on behalf of the applicant. Data sheets prepared/submitted by or on behalf of the applicant. This office concurs with the delineation report, dated prepared by (company): This office does not concur with the delineation report, dated prepared by (company): This office does not concur with the delineation report, dated prepared by (company): Data sheets prepared by the Corps. Corps' navigable waters' studies: U.S. Geological Survey Hydrologic Atlas: U.S. Geological Survey 7.5 Minute Topographic maps: U.S. Geological Survey 7.5 Minute Historic quadrangles: U.S. Geological Survey 15 Minute Historic quadrangles: U.S. Data Natural Resources Conservation Service Soil Survey: National wetlands inventory maps: State/Local wetland inventory maps: FEMA/FIRM maps (Map Name & Date): 100-year Floodplain Elevation is: (NGVD) Aerial Photographs (Date): Advanced Identification Wetland maps: Site visit/determination conducted on: see Jurisdictional Determination Section at top of previous page Applicable/supporting case law: Other information (please specify):

Wetlands are identified and delineated using the methods and criteria established in the Corps Wetland Delineation Manual (87 Manual) (i.e., occurrence of hydrophytic vegetation, hydric soils and wetland hydrology).

²The term "adjacent" means bordering, contiguous, or neighboring. Wetlands separated from other waters of the U.S. by man-made dikes or barriers, natural river berms, beach dunes, and the like are also adjacent.